



Douglas T. Sloan
City Attorney

January 24, 2019

VIA E-MAIL TO: 66931-10557007@requests.muckrock.com

Aaron Swartz Day Police Surveillance Project
MuckRock News
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RE: Public Records Act Request dated January 10, 2019
Various Fresno Police Department Records regarding IMSI-Catcher Equipment

To Whom It May Concern:

The Fresno City Attorney's Office has received your project's January 10, 2019, request for records under the California Public Records Act (Cal. Govt. Code § 6250 et seq., the Act).

In the request, your project asks the City of Fresno (City) for various records from January 1, 2015, to January 10, 2019, for the following:

1. "Number, if any, of IMSI-catcher or cell phone interception devices (commonly called stingrays or hailstorms) owned by [the City's Police Department;]"
2. "Number, if any, of IMSI-catcher or cell phone interception devices . . . available for use by [the City's Police Department] via collaborative agreements that were utilized within the period encompassing this request. Please provide the name of the department or agency that made IMSI-catcher devices available to [the City Police Department;]"
3. "Any documents or correspondence during the period encompassing this request regarding possible or planned acquisition of an IMSI-catcher device[;]"
4. "Any existing or proposed usage policies regarding the use of cell phone interception technology including protocols, training documents and data storage procedures[;]"

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5. "Any current or past litigation involving or referencing [the City's Police Department] involving the use of cell phone interception technology."

Within 10 days of our receipt of your request, the City is required to provide you a response indicating whether any records will be disclosed, whether any records are exempt and the reasons for the exemption, and the estimated time in which the City will produce any disclosable records. (Govt. Code § 6253(c).) However, the Act provides that in certain circumstances the City may extend the time to provide the response. (*Id.*)

Your request may seek a voluminous amount of records and will require the need to search for, collect, and appropriately examine the separate and distinct records requested and additional time to compile the data requested. Under Government Code section 6253, subdivision (c), paragraph (2), this letter serves as notice that the City will require the permitted extension of time.

Under the Act, an extension of time may not exceed 14 days from the original 10-day deadline, rolling to the next Monday if such date falls on a weekend. We will provide you with a response not later than February 5, 2019. We appreciate your patience and understanding in this matter.

Very truly yours,



FRANCINE M. KANNE
Chief Assistant City Attorney
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